

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office SEP 10 2004

Returned to applicant for correction OCT 05 2004

Corrected application filed _____

Map filed OCT 15 2004

The applicant **BRADY E. WINBERRY** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **UNDERGROUND**
2. The amount of water applied for is **2.02 AFA, .0046 C.F.S.** second feet.
 - (a) If stored in reservoir give number of acre-feet -
3. The water to be used for **COMMERCIAL AND DOMESTIC**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated -
 - (b) Stockwater, state number and kind of animals to be watered -
 - (c) Other use (describe fully under No. 12. "Remarks") -
 - (d) Power:
 - (1) Horsepower developed -
 - (2) Point of return of water to stream -
5. The water is to be diverted from its source at the following point **WITHIN THE SE¼ OF THE NW¼ OF SECTION 12, T.12S., R.53E., M.D.M., NYE COUNTY, NEVADA FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 12, BEARS N 43°09'22" W A DISTANCE OF 1425.51 FEET.**
6. Place of Use **BEING THE WEST HALF (W½) OF THE SE¼ OF THE NW¼ OF THE NW¼ OF SECTION 12, T.21S., R.53E., M.D.M., NYE COUNTY, NEVADA EXCEPTING THERE FROM ROAD DEDICATION FOR RACHEL CRT. AS SHOWN ON ACCOMPANYING MAP ALSO KNOWN AS A.P.N. # 44-511-23**
7. Use will begin about **January 1ST** and end about **December 31ST** of each year.
8. Description of proposed works **EXISTING 8" WELL CASING, SUBMURSABLE PUMP, PRESURE TANK AND PROPOSED STORAGE TANK FOR FIRE SYSTEM**
9. Estimated cost of works **\$5000**
10. Estimated time required to construct works **2-YEARS**
11. Estimated time required to complete the application of water to beneficial use **5-YEARS**

71679

12. Remarks: THIS PROPOSED WATER SYSTEM WILL PROVIDE WATER SERVICE TO AN EXISTING CONCRETE CONSTRUCTION BUSINESS LOCATED AT THIS SITE CONSISTING OF 1- 1000 S.F. OFFICE BUILDING, 1- SHOP AREA, 1- 1800 S.F. RESIDENCE, LANDSCAPING AND DUST CONTROL IN EQUIPMENT STORAGE AREA, (NO CONCRETE PRODUCED ON SITE)

CIVILWISE SERVICES, LLC
RONNIE M. PHILLIPS (AGENT)

By s/Ronnie M. Phillips
1240 E. STATE STREET SUITE #101
PAHRUMP, NEVADA 89048

Compared sg/ sc 1t/ _____

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Permit 71679 is granted to provide water service to one lot described as Nye County Assessor's Parcel Number (APN) 44-511-23.

Upon cessation of pumping for commercial purposes at this place of use, water under this Permit shall return to the source and no application to change or relinquishment will be allowed.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0046 cubic feet per second, and not to exceed 2.02 acre-feet annually

Work must be prosecuted with reasonable diligence and be completed on or before:

September 20, 2007

Proof of completion of work shall be filed on or before:

October 20, 2007

Water must be placed to beneficial use on or before:

September 20, 2010

Proof of the application of water to beneficial use shall be filed on or before:

October 20, 2010

Map in support of proof of beneficial use shall be filed on or before:


N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of September A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____